

**Minutes of the Grinnell City Council Meeting
Monday, October 18, 2004**

The City Council of the City of Grinnell met in regular session in the Council Chambers of the Grinnell Community Center, 927 4th Avenue, Grinnell, Iowa, at 7:00 p.m., Monday, October 18, 2004. Mayor Canfield presided.

Roll Call: PRESENT: Elliott, Wilson, White, Worley, Witt, McNaul

PERFECTING AND APPROVAL OF AGENDA:

Moved by WHITE, second by MCNAUL, to approve the Agenda and the Consent Agenda as amended. Roll Call Vote: Ayes: White, McNaul, Wilson, Elliott, Witt. Motion carried.

CONSENT AGENDA:

- Previous minutes as drafted from the Monday, October 4, 2004 Regular Session.
- Approval of the Clerk's Report.
- Approval of the Treasurer's Report.
- Approval of the Transfer Application of the Class LC Liquor License for Grinnell College, from 1011 Park Street to 1114 10th Avenue for the purpose of the Mayor's Gala.
- Approval of the Class LE Liquor License Renewal for McNally's Super Valu, 1021 Main Street.
- Approval of the Class LE Liquor License Renewal for Hy-Vee Food Store, 320 West Street South.
- Approval of the Class LC Liquor License Renewal for the Downunder Pub, 926 Main Street.
- Approval of the request from Jeff and Amy Murphy and Paul and Sheryl Parmley in regard to the placement of a luminary display on both sides of 10th Avenue Place and Linden Street on Saturday, December 18, 2004.

COMMUNICATIONS:

- I. Thank You: Lois Ogan
- II. City Council Special Session: Tuesday, October 12, 2004
- III. Grinnell Renaissance Board: Tuesday, September 28, 2004
- IV. Poweshiek Iowa Development: Thursday, September 23, 2004
- V. Finance Committee: Monday, October 4, 2004
- VI. Planning Committee: Thursday, September 30, 2004 and October 14, 2004
- VII. Public Works and Grounds Committee: Monday, October 4, 2004
- VIII. Planning and Zoning Commission: Tuesday, October 12, 2004.
- IV. Zoning Board of Adjustment: Friday, October 15, 2004.

OLD BUSINESS:

- I. Report from the Finance Committee.
 - Discussion in regard to the EPC TIF Rebate.

White summarized the discussion in regard to the EPC TIF Rebate. It was requested by EPC that the rebate be provided based on the number of jobs created to date. Future payments will be based on amount of employment at the time of tax payment. Elliott commented on the additional provisions in the agreement being unique to normal city agreements. One of the additional provisions requires EPC to create a specific number of positions. Next year the agreement will be based on number of positions (percentage) existing at the time the taxes are paid.

Moved by WHITE, second by ELLIOTT to provide the rebate at 76% of the agreement valuation.

Discussion called by Witt. He questioned if EPC complies with the state grant by the end of the year, will the city pay the additional 24%. White stated no, the city will not provide any further reimbursement on this tax payment.

Roll Call Vote: Ayes: White, Elliott, McNaul, Wilson, Worley, Witt. Motion carried.

- Discussion in regard to the FY06 Health Insurance Premium.

White updated the Council on the discussion held with Judy Doke – Wellmark Blue Cross Blue Shield – due to the substantial increase the city will experience in premiums again this year. White stated the committee was not ready to make a recommendation at this time.

- Update in regard to the joint meeting session held between the Grinnell City Council and the Central Business District Task Force.

White informed the Council that the Finance Committee and the Central Business District Task Force had decided not to pursue the local option sales tax as an option for payment of the downtown rehabilitation project. The funding for the project will be pursued through some type of combination of general obligation and TIF revenue bonds. Behrens said that the Council would be taking action on the items through scheduling a public hearing that staff will be providing documentation on. Elliott commented in regard to requiring the commercial building owners to pay for the cost of the installation of the water and sewer lines to each individual building. The committee did decide during the meeting that because the service lines only represent 6% of the project cost, that the city will under take those costs and not assess the costs back to the building owner. White and Elliott agreed that the schedules for the debt, only lasting ten years, shows good future planning by the city. The limited term of the debt will allow for completion of each phase of the project without burdening the city with long term debt.

- Discussion in regard to the Capital Improvement Plan for the Grinnell Regional Airport.

White stated that Behrens had provided an outline for the capital improvement projects at the airport over the next five years. Projects include: single point fueling system, tower obstruction removal, 8 stall t-hanger construction, automatic weather observation system, reconstruction of the entry road, replacement of underground fuel storage and a terminal security fence.

- Recommendation in regard to the requests for assistance from the Campbell Fund.

The requests were approved as presented.

II. Report from the Planning Committee

- Continued discussion of the proposed amendments to the city code in regard to planting trees in city right-of-way.

The committee has continued to work on the amendments to the city code. Primary points include: not allowing trees to be planted directly over underground infrastructure, recommended trees to be planted under overhead utilities, a prepared list of trees that will not be allowed to be planted in the right-of-way. An application/permit process is being developed with a permit fee of \$50.00 and an additional \$10.00 premium for each utility that goes through the right-of-way adjacent to the proposed planting. The city does not want to prohibit people from planting trees; however the city does need to attempt to recoup some of the maintenance costs. Staff continues to prepare the final draft of the ordinance and resolution to implement the new policy. The committee is working to allow limited plantings of trees in the right-of-way with long term future planning taken into consideration.

- Discussion in regard to the Banner Policy.

The committee has reviewed the proposed policy and more information will be provided at the next meeting.

- Discussion in regard to the ongoing annexation process for the Lang Creek Crossing Development.

The committee has received all of the required paperwork to move forward on the Lang Creek Crossing Development Annexation.

Moved by WORLEY, second by WITT, to approve and adopt Resolution No, 2718 "A RESOLUTION ASSENTING TO THE ANNEXATION OF CERTAIN REAL ESTATE TO THE CITY OF GRINNELL, IOWA." Roll Call Vote: Ayes: Worley, Witt, Elliott, Wilson, McNaul, White. Motion carried.

III. Report from Public Works & Grounds Committee.

- Recommendation in regard to the waiver of sidewalk construction requested by Dennis and Pat Pfantz.

Elliott reviewed past policy and then proceeded to describe the request by Dennis and Pat Pfantz to waive the construction of a sidewalk on the east side of their property also described as the west side of Pearl Street. The east side of Pearl Street has continuous sidewalk. Pearl Street has an extremely steep grade, approximately 12%, which makes it almost impossible to construct a safe sidewalk. The committee felt that the construction would create an attractive nuisance, especially for skateboards. The grade would be entirely too steep for a wheel chair user and the city would be unable to construct the proper handicap ramp at the street. To make the sidewalk compliant with grade requirements, the entire lot would have to be re-graded.

Moved by ELLIOTT, second by WITT, that because of the extreme grade of the lot and the safety concerns created with the sidewalks construction, the waiver is granted only for the construction of the sidewalk on Pearl Street. Roll Call Vote: Ayes: Elliott, Witt, Wilson, McNaul, White, Worley. Motion carried.

The sidewalk will be constructed as required on 1st Avenue according to city specifications.

- Recommendation in regard to the Application to Perform Work Within State Highway Right of Way submitted by the Waterford Group.

Moved by ELLIOTT, second by MCNAUL, to approve the Application to Perform Work Within State Highway Right of Way submitted by the Waterford Group. Roll Call Vote: Ayes: Elliott, McNaul, White, Wilson, Witt, Worley. Motion carried.

IV. Appointments to Boards and Commissions:

Moved by WHITE, second by WITT, to appoint Mr. William Crosby to serve on the Art Gallery Committee. Roll Call Vote: Ayes: White, Witt, Worley, Elliott, Wilson, McNaul. Motion carried.

Moved by WHITE, second by MCNAUL, to appoint Mr. Dan Bonnell to serve on the Veteran's Memorial Building Commission. Roll Call Vote: Ayes: White, McNaul, Wilson, Elliott, Worley, Witt. Motion carried.

Moved by WHITE, second by WORLEY, to appoint Ms. Kellie McGriff to serve on the Renaissance Board. Roll Call Vote: Ayes: White, Worley, McNaul, Wilson, Witt, Elliott. Motion carried.

Moved by WHITE, second by WORLEY, to appoint Mr. Brett McGriff to serve on the Recreation Board. Roll Call Vote: Ayes: White, Worley, Witt, Elliott, McNaul, Wilson. Motion carried.

NEW BUSINESS:

- I. Schedule the public hearing in regard to the lease for the cellular tower for Monday, November 1, 2004 at 7:00 pm.

Wilson commented that this item has been discussed for several months by the City Council and the city has been very open about the reasoning for the construction of the new tower. Discussion about location had been submitted to the Planning Committee and Public Works and Grounds Committee as well as the Public Safety Committee. The proposed construction will take place at the Public Safety Building. Wilson pointed out that there would have been a tower constructed there anyway due to the needs of the city. All of the meetings in which this item has been discussed have been open to the public. White commented in regard to the savings to the citizens of Grinnell because the city will not have to pay for the construction and the improvement will provide better communication for the Police and Fire Departments.

Elliott commented in regard to her vote in favor of the project because the reliability of the police and fire communications not being as they should be. Worley commented that none of the discussion about this issue has been held privately. He also commented that the original proposal for the tower was to place three blocks from the Public Safety Building.

Moved by WHITE, second by ELLIOTT, schedule the public hearing in regard to the lease for the cellular tower for Monday, November 1, 2004 at 7:00 pm. Roll Call Vote: Ayes: White, Elliott, Wilson, Worley, Witt, McNaul. Motion carried.

FINAL READING OF THE ORDINANCE

Moved by WORLEY, second by ELLIOTT, to conduct the final reading of Ordinance No. 1235 "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA, BY ADDING PROVISIONS PERTAINING TO VIOLATION OF TRAFFIC REGULATIONS." Roll Call Vote: Ayes: Worley, Elliott, Wilson, Witt. Motion carried.

Behrens noted that the city attorney will prosecute the cases if need be, however the intention is to work with the county to provide the service of prosecution of the cases on behalf of the city. Behrens is confident the violation fees collected will more than cover the cost of prosecution.

FINAL READING OF THE ORDINANCE:

Moved by WHITE, second by WORLEY, to conduct the final reading of Ordinance No. 1232: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 3 (ANIMALS.)" Roll Call Vote: Ayes: White, Worley, McNaul, Wilson, Elliott, Witt. Motion carried.

APPROVAL AND ADOPTION OF THE RESOLUTIONS:

Moved by WHITE, second by WORLEY, to approve and adopt Resolution No. 2716: "A RESOLUTION TO APPROVE IMPROVEMENT PROJECTS AS SUBMITTED FOR PROPERTY AND REQUEST TAX EXEMPTION FOR THIS IMPROVEMENT ACCORDING TO CHAPTER 404 OF THE STATE CODE (Marguerite Beeler, 732 Pearl Street.)" Roll Call Vote: Ayes: White, Worley, Witt, Wilson, McNaul, Elliott. Motion carried.

Moved by WHITE, second by WILSON, to approve and adopt Resolution No. 2717: "A RESOLUTION ESTABLISHING RULES AND REGULATIONS IN REGARD TO ANIMALS." Roll Call Vote: Ayes: White, Wilson, Witt, Worley, Elliott, McNaul. Motion carried.

Moved by WORLEY, second by MCNAUL, to approve and adopt Resolution No. 2719: "A RESOLUTION TO APPROVE IMPROVEMENT PROJECTS AS SUBMITTED FOR PROPERTY AND REQUEST TAX EXEMPTION FOR THIS IMPROVEMENT ACCORDING TO CHAPTER 404 OF THE STATE CODE (Sam and Michelle Rebelsky, 1120 Main Street.)" Roll Call Vote: Ayes: Worley, McNaul, Witt, Wilson, Elliott, White. Motion carried.

INQUIRIES: None.

ADJOURN:

Moved by ELLIOTT, second by WHITE, to adjourn this regular session of the Grinnell City Council. Vote: (6) ayes, motion carried. Adjournment: 7:45 p.m.

ATTEST:

Gordon Canfield, Mayor

Cassandra R. Hage, City Clerk